

# **EXHIBIT 10**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

WORLDS, INC.,

Plaintiff,

V.

ACTIVISION BLIZZARD, INC., BLIZZARD  
ENTERTAINMENT, INC., and ACTIVISION  
PUBLISHING, INC.,

Defendants.

Civil Action No. 1:12-CV-10576-DJC

## JURY TRIAL DEMANDED

## **PLAINTIFF'S INITIAL DISCLOSURES**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Worlds, Inc. (“Worlds”) hereby makes the initial disclosures set forth below. These disclosures are based on information reasonably and currently available to Worlds. Worlds reserves the right to amend these disclosures and to object to the admissibility of any information disclosed.

**I. Correct Names of the Parties to the Action**

Plaintiff believes that the names of the parties as cited in the caption are correct.

## II. Disclosures Pursuant To Rule 26(a)(1)(A)

Pursuant to Rule 26(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and to the extent known by Worlds, the following individuals may have discoverable information that Worlds may use to support its claims or defenses. The following disclosure does not include expert witnesses, who will be identified at a later date in accordance with the Federal Rules of Civil Procedure. In providing this information, Worlds is not waiving any applicable privilege or work product protection, and no current employee or consultant of Worlds may be contacted without the prior consent of Worlds' counsel. Worlds expressly reserves the right to identify and

to call as witnesses additional persons if, during the course of discovery and investigation relating to this case, Worlds learns that such additional persons have relevant knowledge. The inclusion of the individuals in the list below should not be construed in any way as waiving any attorney-client privilege or work product immunity with respect to information that such individuals may possess. By including an individual on this list, furthermore, Worlds does not waive, and expressly preserves, its rights to object to any deposition or trial testimony of such individual.

On information and belief, the following individuals may possess information that Worlds may use to support its claims:

<b>Name</b>	<b>Contact Information</b>	<b>Topics</b>
Adler, B. Thomas	500 King Drive, #1119 Daly City, CA 94015 (last known) Telephone: (540) 425-0009	Named co-inventor on the patents-in-suit. Has knowledge of topics relevant to the patents-in-suit, including conception and reduction to practice, best mode, enablement, inventorship, prior art, and prosecution.
Albert, Philip H.	Kilpatrick Townsend & Stockton LLP 8th Floor, Two Embarcadero Center San Francisco, CA 94111 Telephone: (415) 273-4830	Partner, Kilpatrick Townsend & Stockton LLP. Has knowledge of topics relevant to some or all of the patents-in-suit, including prior art and prosecution.
Ardron, S. (Mitra)	Telephone: (510) 984-2639	Named co-inventor on the patents-in-suit. Has knowledge of topics relevant to the patents-in-suit, including conception and reduction to practice, best mode, enablement, inventorship, prior art, and prosecution.
Britvitch, Ron	c/o Susman Godfrey LLP 1000 Louisiana, Suite 5100 Houston, TX 77002-5096 Telephone: (713) 651-9366	Developer, Worlds Online. Has knowledge concerning the prosecution of the patents-in-suit, the technologies disclosed in the patents-in-suit, and the development, testing, and marketing of Worlds' products.
Challinger, Judith	Computer Science Department California State University, Chico Chico, California 95929-0410 Telephone: (530) 898-6357	Named co-inventor on the patents-in-suit. Has knowledge of topics relevant to the patents-in-suit, including conception and reduction to practice, best mode, enablement, inventorship, prior art, and prosecution.
Cohen, Neil G.	MeadWestvaco Corp. 501 South 5th Street Richmond, VA 23219-0501 Telephone: (804) 444-3983	Former Assistant General Counsel, General Patent Corp. Has knowledge of topics relevant to some or all of the patents-in-suit, including prior art and prosecution.
Kidrin, Thom	c/o Susman Godfrey LLP 1000 Louisiana, Suite 5100 Houston, TX 77002-5096 Telephone: (713) 651-9366	Chief Executive Officer of Worlds. Has knowledge of corporate matters relating to Worlds, license agreements and attempts to license the patents, as well as the interactions with Worlds and the defendants. Also has knowledge of topics relevant to the patents-in-suit, including prosecution.

Kotick, Robert	Activision Blizzard, Inc. 3100 Ocean Park Boulevard Santa Monica, CA 90405 Telephone: (310) 255-2000	Chief Executive Officer, Activision Blizzard, Inc. Has knowledge of Worlds' patents, of Activision Blizzard's interactions with Worlds personnel regarding the patents-in-suit, and of Activision Blizzard's infringing products.
Leahy, David	111 Ramona Road Portola Valley, CA 94028 Telephone: (650) 723-4393	Named co-inventor on the patents-in-suit. Has knowledge of topics relevant to the patents-in-suit, including conception and reduction to practice, best mode, enablement, inventorship, prior art, and prosecution.
Lerner, Paul	c/o Susman Godfrey LLP 1000 Louisiana, Suite 5100 Houston, TX 77002-5096 Telephone: (713) 651-9366	Senior Legal Counsel, WiLAN. Has knowledge of topics relevant to some or all of the patents-in-suit, including prior art and prosecution.
Poltorak, Alexander	70 Monte Bello Rd. Suffern, NY 10901 Telephone: (914) 584-6900	Chief Executive Officer, General Patent Corp. Has knowledge of topics relevant to some or all of the patents-in-suit, including prior art and prosecution.
Weiser, Anatoly S.	Acuity Law Group 3523 Del Mar Heights Road, # 295 San Diego, CA 92130 Telephone: (858) 720-9431	Partner, Acuity Law Group. Has knowledge of topics relevant to some or all of the patents-in-suit, including prior art and prosecution.
Zimmerman, Jean-Marc	Zimmerman & Levi LLP 226 St. Paul Street Westfield, NJ 07090 Telephone: (908) 654-8000	Partner, Zimmerman & Levi LLP. Has knowledge of topics relevant to some or all of the patents-in-suit, including prior art and prosecution.

### **III. Disclosure Pursuant to Fed. R. Civ. P. 26(a)(1)(B).**

The business records of Worlds are kept on Worlds' servers in Minnesota and by Worlds' employees and contractors in Massachusetts, California, and Washington. To the extent the records have been located and collected, they are presently located at or are en route to the Houston office of Susman Godfrey LLP. Documents, electronically stored information, and tangible things that are in possession, custody, or control of Worlds and that may be used to support Worlds' claims or defenses include:

1. The patents-in-suit, as well as any and all continuing-in-part patent applications and/or claims owned by Worlds, and materials submitted to the United States Patent and Trademark Office in connection with the applications for these patents;
2. Documents relating to the conception and reduction to practice of the inventions disclosed in the patents-in-suit;

3. Documents relating to the acquisition, ownership, or assignment of the patents-in-suit;
4. Documents describing the design and operation of Worlds' products;
5. Documents concerning the validity of the patents-in-suit;
6. Pleadings and other files from this litigation;
7. Worlds' customer and licensing records; and
8. Documents, correspondence, and information provided by Worlds' to some or all Defendants.

Worlds is in the process of collecting documents and will produce or describe documents or things, subject to objections and assertions of privilege, at a time and place convenient to the parties. Worlds will produce documents that contain confidential information only after entry of a protective order. To the extent that any of the documents contain third-party confidential information, Worlds will require such party's consent before producing these documents. If such consent is not seasonably received, Worlds will notify Activision.

Worlds' investigation concerning this case is ongoing, and Worlds reserves the right to supplement this list of documents, electronically stored information, and tangible things based on information developed in the course of this lawsuit through discovery or additional factual investigation.

**IV. Disclosure Pursuant to Fed. R. Civ. P. 26(a)(1)(C).**

In addition to seeking a permanent injunction, Worlds seeks compensatory damages in an amount not less than a reasonable royalty extending over the life of Worlds' patents, on all products that infringe its patents. Because this is an exceptional case, Worlds also seeks reasonable and necessary attorney's fees. Because Defendants' conduct was and continues to be willful, Worlds seeks treble damages. To the extent allowable by law, Worlds seeks attorney's

fees, costs, expenses, and pre- and post-judgment interest on these claims, and such other relief as the Court may deem appropriate either at law or in equity.

Worlds has not yet obtained discovery sufficient to permit it to compute the extent of damages it has suffered as a result of Defendants' infringement. Worlds anticipates retaining experts to assist it in calculating the losses described above, and any other or different losses that may be identified through further analysis of the facts and claims in this litigation. Worlds will produce the results of that expert analysis in accord with the pretrial schedule established by the Court. Worlds will also make available for inspection and copying as required under Rule 34, the documents or other evidentiary material, not privileged or protected from disclosure, which have not been produced at that time and on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

**V. Disclosure Pursuant to Fed. R. Civ. P. 26(a)(1)(D).**

Not applicable.

DATED: August 17, 2012

Respectfully submitted,

SUSMAN GODFREY L.L.P.

WORLDS, INC.

By its attorneys,

/s/ Ryan Caughey  
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**Certificate of Service**

I hereby certify that a true copy of the above document was served upon Defendants' counsel of record by email on August 17, 2012.

/s/ Ryan V. Caughey  
Ryan V. Caughey